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Viewing cable 09BOGOTA1618, DAS REVELATIONS KEEP COMING

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- The middle box contains the header information that is associated with the cable. It includes information about the receiver(s) as well as a general subject.
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Reference ID	Created	Released	Classification	Origin
09BOGOTA1618	2009-05-22 17:22	2011-08-30 01:44	CONFIDENTIAL	Embassy Bogota

Appears in these articles:

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VZCZCXYZ0000
PP RUEHWEB

DE RUEHBO #1618/01 1421722
ZNY CCCCC ZZH
P 221722Z MAY 09
FM AMEMBASSY BOGOTA
TO RUEHC/SECSTATE WASHDC PRIORITY 8811
INFO RUEHBR/AMEMBASSY BRASILIA PRIORITY 8916
RUEHCV/AMEMBASSY CARACAS PRIORITY 2283
RUEHLP/AMEMBASSY LA PAZ MAY 0135
RUEHPE/AMEMBASSY LIMA PRIORITY 7589
RUEHOT/AMEMBASSY QUY'QEIH PRIORITY

C O N F I D E N T I A L BOGOTA 001618

SIPDIS

E.O. 12958: DECL: 05/21/2019
TAGS: [PGOV](#) [PREL](#) [PTER](#) [PHUM](#) [KJUS](#) [CO](#)
SUBJECT: DAS REVELATIONS KEEP COMING

REF: A. 09BOGOTA1506
[1](#)B. 09BOGOTA1412
[1](#)C. 09BOGOTA569

Classified By: Political Counselor John S. Creamer
Reasons 1.4 (b and d)

SUMMARY

¶1. (C) The DAS scandal returned to the headlines on May 13 with media reports that the Department of Administrative Security (DAS) had spied on leading opposition figures in the 2006 elections and that a former DAS official linked high-ranking GOC officials to the illegal surveillance of Supreme Court magistrates. The GOC continues to deny involvement and has offered a reward for the capture of the rogue DAS officials it claims were behind the spying. The Fiscalía (Prosecutor General) has refused to confirm any of the media stories, but a former DAS director told us some top Uribe aides are involved--and that more explosive revelations are still to come. End Summary

MEDIA REPORT ILLEGAL ELECTION SPYING, HIGH-LEVEL GOC INVOLVEMENT

¶2. (U) Leading Colombia media reported on May 13 on evidence that the DAS (Department of Administrative Security) had spied on leading opposition presidential candidates and other political figures during the 2006 elections. Radio station "La FM" played intercepted conversations of opposition presidential pre-candidates Carlos Gaviria Diaz and Antonio Navarro Wolf, claiming two DAS technicians had turned them over along with records showing DAS had monitored other pre-candidates, politicians, and journalists. The records also allegedly show that DAS was alerted every time Gaviria turned on his cellular phone.

¶3. (C) That night, most leading media outlets reported that former DAS deputy counterintelligence chief Jorge Lagos--who resigned February 22 due to the scandal--had testified that former senior Uribe advisor Jose Obdulio Gaviria and Secretary of the Presidency Bernardo Moreno were involved in the DAS's illegal surveillance and harassment of Supreme Court Magistrates (refs A&B). Leaked versions of Lagos's testimony to the Fiscalía (Prosecutor General) suggest Lagos claimed Gaviria had instructed him to investigate potential links between Supreme Court magistrate Yesid Ramirez and narco-trafficking-affiliated Ascensio Reyes. Lagos also allegedly testified about meetings with Moreno and Mario Aranguren, head of the GOC's Financial Intelligence Unit (UIAF), in which Aranguren turned over sensitive financial information on five magistrates and their families.

GOC CONTINUES TO DENY...

¶4. (U) The Uribe administration continues to deny involvement, and has offered a 200 million COP (approx \$90,000 USD) reward for the capture of the "bad apples" at DAS responsible for the surveillance. A Casa de Narino communique on May 18 called the reports of Lagos's testimony inaccurate and cited--or leaked--other Lagos testimony that appeared to contradict the original story. The communique said the story had caused "serious damage" and noted the Casa de Narino had merely cooperated with a DAS investigation into Reyes.

¶5. (C) Gaviria went on the offensive, telling reporters that the opposition had infiltrated the DAS to embarrass the GOC. He initially publicly denied meeting with Lagos, but conceded privately to us on May 14th that he had met with Lagos and former DAS deputy intelligence chief Fernando Tabares to discuss the Reyes issue. Still, he denied giving orders or doing anything improper. Gaviria recognized the argument that the GOC was a victim of the scandal "strained credulity," but said the GOC would maintain that stance. Moreno told us on May 22 that the media had blown the DAS scandal out of proportion in an effort to block President Uribe's reelection effort, adding that the Fiscalía has yet to find any evidence of DAS intercepts of magistrates' communications.

... BUT PENATE SUGGESTS OTHERWISE

¶6. (C) Penate--DAS chief from 2005-2007--publicly denied any knowledge of the election surveillance, said the Casa de

Narino was not involved, and suggested Carlos Arzayus, his then-deputy in charge of interceptions, may have been responsible. Penate reiterated to us on May 19 that President Uribe never pressured him to report on the domestic opposition, but did encourage him to coordinate with Gaviria in 2006 when the GOC began to encounter political problems because of the reelection debate. Penate claimed he resigned from the DAS rather than deal with the pressure to use the DAS for domestic political purposes from Gaviria, Moreno, and other presidential advisors.

¶17. (C) Penate added that Gaviria and Moreno had been "obsessed" that the Supreme Court was involved in a plot with former paramilitary figures to undermine Uribe's government through the parapolitical investigation. Their suspicions vis-a-vis the court intensified after the Court's April 2008 arrest of Uribe cousin and political associate Senator Mario Uribe. Penate said Gaviria and Moreno used information that Reyes--who has been linked to extradited former paramilitary leader Salvatore Mancuso--had sponsored a banquet for Ramirez as justification to investigate numerous magistrates and their families. They subsequently leaked the investigation's results to the media.

IGUARAN, CTI MUM ON EVIDENCE

¶18. (C) Meanwhile, Fiscal General (Prosecutor General) Mario Iguaran refuses to publicly discuss the evidence in the DAS cases, telling reporters on May 20 that it remains confidential. Magistrates and other officials asked the DAS and the UIAF to turn over information on their investigators, but the Fiscalía will not release the files because they are part of an ongoing investigation. Constitutional Court magistrate--and former Uribe legal advisor--Mauricio Gonzalez told us on May 19 that the delay in obtaining these records was exacerbating the judicial-executive feud that has reignited since the judicial surveillance was revealed (see septel).

¶19. (C) Still, the evidence could be explosive. Penate told us Uribe had overreacted to the DAS scandal by opening the DAS's doors to the CTI without limit. CTI, the Fiscalía's investigative unit, now has files showing illegal DAS scrutiny of the financial records of the magistrates and their families. Penate said the files also show while Moreno and Gaviria did not order the DAS to spy on Supreme Court magistrates DAS officials understood what was being asked and yielded to the pressure. Penate remains skeptical that DAS intercepts of the magistrates exist, since he has not seen any. Still, auxiliary Supreme Court magistrate Velazquez told us privately he has "physical proof" that the DAS intercepted his communications. He also claimed CTI has a DAS order instructing personnel to destroy the evidence of those intercepts.

CTI NOW HAS "TOXIC" NOGUERA FILES

¶10. (C) Penate also claims the CTI now has what he called the "toxic" files of former DAS director (2002-2005) Jorge Noguera. These files show DAS surveillance of Penate, Vice President Santos, journalist Hollman Morris, and others by DAS's disbanded "G-3" unit. "G-3" was set up by Noguera's deputy Jose Narvaez to conduct "political warfare" against opposition figures and GOC officials whom Narvaez considered "soft" in the GOC's fight against the FARC (see ref B).

¶11. (C) Penate said the "toxic" files also confirm public reports that Narvaez ordered DAS to provide an armored car to former paramilitary leader Jorge 40 and passed "hit lists" to paramilitary forces. Other information now in the CTI's possession confirms the role of senior DAS official in Santa Marta in the 2004 murder of Alfredo Correa de Andreis, a union official and professor in Barranquilla. Penate attributed the slowness of the Fiscalía's prosecution of Noguera to GOC pressure on Iguaran not to proceed. Penate believes the pressure reflects the fact that Noguera provided political intelligence to the GOC during the first reelection effort, including intercepts of two Constitutional Court

magistrates.

Brownfield